

# EXHIBIT 3

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**From:** Jaime Dole <Jaime.Dole@arlaw.com>  
**Sent:** Friday, November 9, 2018 9:26 AM  
**To:** Kristen A. Johnson; John Hooks; John Compton  
**Cc:** Natasha Merle; Louis Fisher; Singleton, Natane (CRT); Vaughan, Aria (CRT)  
**Subject:** RE: Barnhardt, et al. v. Meridian - District's Responses to LDF's First Set of Discovery

Kristen,

Please feel free to discuss LDF's position on this with John Hooks and John Compton during the proceedings over the next several days.

Thanks

Jaime

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**From:** Kristen A. Johnson [mailto:kjohnson@naacpldf.org]  
**Sent:** Friday, November 09, 2018 8:24 AM  
**To:** Jaime Dole; John Hooks; John Compton  
**Cc:** Natasha Merle; Louis Fisher; Singleton, Natane (CRT); Vaughan, Aria (CRT)  
**Subject:** RE: Barnhardt, et al. v. Meridian - District's Responses to LDF's First Set of Discovery

Jaime,

Plaintiffs agree to inspect the student files simultaneous to the site visit.

However, the District's previous basis for not providing copies of the student files flagged by the DOJ and Plaintiffs in April 2017 -- that the Consent Order did not require it -- does not satisfy the District's obligations under Rule 34. Pursuant to Rule 34(b)(2)(B), please state with specificity the District's grounds for not allowing copies of the requested documents.

Plaintiffs propose that, during the site visit, the District either scan the documents requested and produce the scans for all parties' review or allow plaintiffs to scan the documents at the District's facilities.

It is "common practice [to] produc[e] copies of documents . . . rather than simply permitting inspection." See Committee Notes on Rules—2015 Amendment. Failing to allow copies of the requested documents limits the ability of all parties to use the relevant documents to the extent necessary as the case moves towards trial.

Thank you,

Kristen

**Kristen A. Johnson**  
**Fried Frank Fellow**

**NAACP Legal Defense and Educational Fund, Inc.**

40 Rector Street, 5th Floor, New York, NY 10006

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**From:** Jaime Dole <Jaime.Dole@arlaw.com>

**Sent:** Monday, November 5, 2018 3:25 PM

**To:** Kristen A. Johnson <kjohnson@naacpldf.org>; John Hooks <John.Hooks@arlaw.com>; John Compton <JCompton@witherspooncompton.com>; Jaime Dole <Jaime.Dole@arlaw.com>

**Cc:** Natasha Merle <nmerle@naacpldf.org>; Louis Fisher <lfisher@naacpldf.org>; Singleton, Natane (CRT) <Natane.Singleton@usdoj.gov>; Vaughan, Aria (CRT) <Aria.Vaughan@usdoj.gov>

**Subject:** RE: Barnhardt, et al. v. Meridian - District's Responses to LDF's First Set of Discovery

Kristen,

Without agreeing with your contention that failing to provide LDF an opportunity to review specific student discipline records prevents you from evaluating the District's compliance with the Consent Order, the District will make the individual Student Discipline Record for those student's identified in Request No. 21 available for inspection only during the site visit. Consistent with the District's objection to the Government's request for copies of individual student records reviewed during the Spring, 2017 site visit, the District will not agree to provide copies of the records to LDF.

Thanks,

Jaime

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**From:** Kristen A. Johnson [mailto:kjohnson@naacpldf.org]

**Sent:** Friday, November 02, 2018 4:41 PM

**To:** John Hooks; John Compton; Jaime Dole

**Cc:** Natasha Merle; Louis Fisher; Singleton, Natane (CRT); Vaughan, Aria (CRT)

**Subject:** RE: Barnhardt, et al. v. Meridian - District's Responses to LDF's First Set of Discovery

Counsel-

We will respond to your discovery responses as necessary. In the meantime, we respond to your objection to Request for Production No. 21 as "overly broad, unduly burdensome, and to the extent it seeks information the District is not required to provide under the Consent Order."

There were 1,401 unique students involved in disciplinary incidents in quarters 3 and 4 of 2017-2018 SY. In order to address our concerns about how PBIS is being implemented, Plaintiffs' counsel requested the Student Discipline Records for only 24 of those 1,401 unique students. Failing to provide us an opportunity to review the Student Discipline Records prevents us from evaluating the District's compliance with the terms of the Consent Order.

If the District is unwilling to provide copies of the requested documents, Plaintiffs' counsel are willing to inspect the requested documents in person, as we have done previously with other documents. This is consistent with paragraph 110 of the Consent Order. Plaintiffs' counsel are available the week of November 12 to review the files at the District's convenience.

Thank you,  
Kristen

**Kristen A. Johnson**  
**Fried Frank Fellow**  
**NAACP Legal Defense and Educational Fund, Inc.**

40 Rector Street, 5th Floor, New York, NY 10006

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**From:** Jaime Dole <Jaime.Dole@arlaw.com>  
**Sent:** Wednesday, October 31, 2018 3:16 PM  
**To:** Louis Fisher <lfisher@naacpldf.org>; Natasha Merle <nmerle@naacpldf.org>; Kristen A. Johnson <kjohnson@naacpldf.org>; Alexis J. Hoag <ahoag@naacpldf.org>  
**Cc:** Natane.Singleton@usdoj.gov; Aria Vaughan <Aria.Vaughan@usdoj.gov>; John Hooks <John.Hooks@arlaw.com>; John Compton <JCompton@witherspooncompton.com>  
**Subject:** Barnhardt, et al. v. Meridian - District's Responses to LDF's First Set of Discovery

Counsel,

Please find attached the District's responses to LDF's First Set of Interrogatories and Requests for Production. Below is a link to the District's document production:

<https://arlaw.sharefile.com/d-s6201e1f2fbb4102b>

Also, in response to LDF's 10/23/2018 Good Faith Letter regarding Interrogatory Nos. 1 and 2, please be advised the District has amended its response to include additional information regarding the Board members' and former Board members' knowledge. With respect to the other witnesses listed, the District cannot be more specific regarding the knowledge those witnesses possess. The witnesses have general knowledge regarding the subject areas identified.

Regards,

Jaime



**Jaime Dole**  
Paralegal



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